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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,354	09/05/2003	Erik D.N. Monsen	F-715	7816
7590 10/15/2007				
Pitney Bowes Inc. Intellectual Property and Technology Law Dept. 35 Waterview Drive P.O. Box 3000 Shelton, CT 06484		EXAMINER FU, HAO		
		ART UNIT 4172		PAPER NUMBER
		MAIL DATE 10/15/2007		DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/656,354

Applicant(s)

MONSEN ET AL.

Examiner

Hao Fu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 09/05/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

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DETAILED ACTION

Claim Rejection – USC 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 6-8, 17-19, 28-30 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. It is unclear what "maintain" means in these claims. Specification is searched, but description regarding to this procedure is not found.

Claim Rejection – USC 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1, 4-12, 15-23, 26-33 is rejected under U.S.C. 103(a) as being unpatentable over Ferrier (Pub. No.: US 2005/0177437), in view of Morimoto (Pub. No.: US 2002/0120475).

As per claim 1, Ferrier teaches a method for authorizing payment upon delivery of an item comprising (see paragraph 0002 and 0048):
registering each one of a plurality of receiving parties with a transaction module

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(see paragraph 0021, 0022, 0053, 0056, and 0057; "purchaser" is receiving party, and "gateway" is transaction module);

registering each one of a plurality of sending parties with the transaction module (see paragraph 0016 and 0051; "supplier" is sending party, and "gateway" is transaction module);

generating a identifier (see paragraph 0022, and paragraph 0062 last sentence; "transaction identification" or "transaction ID" is identifier, and "transaction identification" is created when order is made);

associating the identifier with a particular sending party (see paragraph 0064, especially "...payment has attached to the unique transaction identification number that allows the payment to be identified and associated with the appropriate purchaser and supplier"; as discussed earlier, "transaction identification" is identifier, and "supplier" is sending party; they are clearly associated with each other; and see paragraph 0071);

storing data relating to the identifier and the particular sending party in the transaction module (see paragraph 0071, 0072 and 0100; "transaction ID" is identifier, and "seller" is sending party);

obtaining identifier data at a destination location (see paragraph 0064, especially "Here the courier enters the transaction ID, either manually or using a barcode scanner; this procedure is done upon purchaser's receipt of goods, which suggests it is done at a destination location);

correlating the identifier data to a sending party (see paragraph 0064, last two sentences);

and authorizing a debit from a selected receiving party's account (see paragraph 0049 and 0064).

Examiner notes however, Ferrier does not explicitly teach associating the identifier with a particular item.

Morimoto teaches associating the identifier with a particular item (see paragraph 0069).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the reference to associate the identifier with a particular item.

One of ordinary skill in the art would have been motivated to modify the reference in order to track the transaction by using an identifier.

As per claim 4, Ferrier teaches further comprising: notifying the receiving party that the debit has occurred (see paragraph 0073 and 0087 last sentence).

As per claim 5, Ferrier teaches further comprising: notifying the sending party that the debit has occurred (see paragraph 0073 and 0087 last sentence).

As per claim 6, Ferrier teaches wherein the transaction module is maintained by the receiving party (see paragraph 0080; the definition of "maintain" is to keep in an appropriate condition, operation, or force; Ferrier teaches "purchaser" or the receiving party can help keep the "gateway" or the transaction module in an appropriate

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operational condition by using a transaction feedback forum).

As per claim 7, Ferrier teaches wherein the transaction module is maintained by the sending party (see paragraph 0052; the definition of "maintain" can also be regularly update information as required to keep it current, complete, and accurate; Ferrier teaches that the "supplier" or the sending party has access to the order details in "gateway" or the transaction module to update and confirm the details, which by definition is maintaining the transaction module).

As per claim 8, Ferrier teaches wherein the transaction module is maintained by a third party (see paragraph 0015 and 0100, "gateway" is transaction module; and the gateway is operated by a third party entity).

As per claim 9, Ferrier does not teach further comprising selecting a particular carrier from a plurality of carriers for transporting the item.

Morimoto teaches selecting a particular carrier from a plurality of carriers for transporting the item (see paragraph 0077).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the reference to include the step of selecting a particular carrier from a plurality of carriers for transporting the item.

One of ordinary skill in the art would have been motivated to modify the reference in order to choose the shipping carrier that most fitting the criteria.

As per claim 10, Ferrier teaches further comprising: receiving confirmation information, at the transaction module, confirming satisfactory delivery, prior to the authorization step (see paragraph 0067 last sentence and 0090, delivery is "authenticated" or confirmed before payment is authorized; also see 0086, Ferrier discloses in the case of unsatisfactory delivery, receiving party can return unwanted good, which further suggests that delivery is confirmed prior to the payment authorization step).

As per claim 11, Ferrier teaches wherein the identifier is stored as a bar code representation and the obtaining step includes scanning the bar code (see paragraph 0064, especially "Here the courier enters the transaction ID, either manually or using a barcode scanner"; as discussed above, "transaction ID" is identifier, and prior art clearly suggests that identifier is stored as a bar code)

As per claim 12, Ferrier teaches an apparatus for authorizing payment for an article comprising:

a transaction facility adapted to store data relating to a plurality of articles, first party information and second party information (see paragraph 0071, 0072 and 0100; "transaction ID" is identifier, "seller" is first party, and "buyer" is second party, "gateway" is a transaction facility);

the transaction facility adapted to generate an identifier (see paragraph 0022,

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and paragraph 0062 last sentence; "transaction identification" or "transaction ID" is identifier, and "transaction identification" is created when order is made); and the transaction facility adapted to authorize a transaction between an account of the first party and an account of the second party (see paragraph 0049 and 0064).

Examiner knows however, Ferrier does not teach the transaction facility adapted to generate an identifier associated with a particular article.

Morimoto teaches the transaction facility adapted to generate an identifier associated with a particular article (see paragraph 0069).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the reference to associate the identifier with a particular item.

One of ordinary skill in the art would have been motivated to modify the reference in order to track the transaction by using an identifier.

As per claim 15, Ferrier teaches wherein the transaction facility provides notification to the first party that the transaction has occurred (see paragraph 0073 and 0087 last sentence, "merchant" is first party).

As per claim 16, Ferrier teaches wherein the transaction facility provides notification to the second party that the transaction has occurred (see paragraph 0073 and 0087 last sentence, "purchaser" is second party).

Claim 17 is rejected for the same reasoning as claim 7, "supplier" is first party.

Claim 18 is rejected for the same reasoning as claim 6, "purchaser" is second party.

As per claim 19, Ferrier teaches wherein the transaction facility is maintained by a third party (see paragraph 0015 and 0100, "gateway" is transaction facility; and the gateway is operated by a third party entity).

As per claim 20, Ferrier teaches further comprising a carrier module, adapted to provide a selection of carriers for transporting the article.

Morimoto teaches a carrier module adapted to provide a selection of carriers for transporting the article (see paragraph 0077).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the reference to include a carrier module adapted to provide a selection of carriers for transporting the article.

One of ordinary skill in the art would have been motivated to modify the reference in order to choose the shipping carrier that most fitting the criteria.

As per claim 21, Ferrier teaches further comprising: a tracking module, adapted to track the article during transportation of the article (see paragraph 0062).

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As per claim 22, Ferrier does not teach wherein the identifier is stored as a bar code representation and the bar code is scanned at a second party facility (see paragraph 0064, especially "Here the courier enters the transaction ID, either manually or using a barcode scanner"; as discussed above, "transaction ID" is identifier, and prior art clearly suggests that identifier is stored as a bar code; Ferrier also discloses that the bar code is scanned when the item is delivered to the buyer, which is at a second party facility).

As per claim 23, Ferrier teaches an apparatus for authorizing payment upon delivery of an item comprising:

- means for registering each one of a plurality of receiving parties with a transaction database (see paragraph 0021, 0022, 0053, 0056, and 0057; "purchaser" is receiving party, and "gateway" comprises a transaction database);

- means for registering each one of a plurality of sending parties with the transaction database (see paragraph 0016 and 0051; "supplier" is sending party, and "gateway" comprises a transaction database);

- means for generating an identifier (see paragraph 0022, and paragraph 0062 last sentence; "transaction identification" or "transaction ID" is identifier, and "transaction identification" is created when order is made);

- means for associating the identifier with a particular sending party (see paragraph 0064, especially "...payment has attached to the unique transaction identification number that allows the payment to be identified and associated with the appropriate purchaser and supplier"; as discussed earlier, "transaction identification" is identifier, and "supplier" is sending party; they are clearly associated with each other; and see paragraph 0071);

- means for storing data relating to the identifier and the particular sending party in the transaction database (see paragraph 0071, 0072 and 0100; "transaction ID" is identifier, and "seller" is sending party);

- means for obtaining identifier data at a destination location (see paragraph 0064, especially "Here the courier enters the transaction ID, either manually or using a barcode scanner; this procedure is done upon purchaser's receipt of goods, which suggests it is done at a destination location);

- means for correlating the identifier data to a sending party (see paragraph 0064, last two sentences); and

- means for authorizing a debit from a selected receiving party's account (see paragraph 0049 and 0064).

As per claim 26, Ferrier teaches further comprising: means for notifying the receiving party that the debit has occurred (see paragraph 0073 and 0087 last sentence).

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As per claim 27, Ferrier teaches further comprising: means for notifying the sending party that the debit has occurred (see paragraph 0073 and 0087 last sentence).

Claim 28 is rejected for the same reasoning as claim 6, "gateway" comprises the transaction database.

Claim 29 is rejected for the same reasoning as claim 7, "gateway" comprises the transaction database.

As per claim 30, Ferrier teaches wherein the transaction database is maintained by a third party (see paragraph 0015 and 0100, "gateway" comprises transaction database; and the gateway is operated by a third party entity).

As per claim 31, Ferrier does not teach further comprising means for selecting a particular carrier from a plurality of carriers for transporting the item.

Morimoto teaches means for selecting a particular carrier from a plurality of carriers for transporting the item (see paragraph 0077).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the reference to include means for selecting a particular carrier from a plurality of carriers for transporting the item.

One of ordinary skill in the art would have been motivated to modify the reference in order to choose the shipping carrier that most fitting the criteria.

As per claim 32, Ferrier teaches further comprising: means for tracking the item during the transportation of the item from a first location to the destination location (see paragraph 0062).

As per claim 33, Ferrier teaches wherein the identifier is stored as a bar code representation and the means for the obtaining step is a scanner device (see paragraph 0064, especially "Here the courier enters the transaction ID, either manually or using a barcode scanner"; as discussed above, "transaction ID" is identifier, and prior art clearly suggests that identifier is stored as a bar code).

Claim 2, 3, 13, 14, 24, and 25 are rejected under U.S.C. 103(a) as being unpatentable over Ferrier (Pub. No.: US 2005/0177437), in view of Morimoto (Pub. No.: US 2002/0120475), and further in view of US Patent Number 7,080,044 to Cordery et al.

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As per claim 2, Ferrier does not teach wherein the identifier is generated from a closed system postage meter.

Cordery teaches the identifier is generated from a closed system postage meter (see column 1, line 41-64; see column 2, line 48-58 teaches identifier are utilized by both open and closed system postage meter; see column 2, line 8-27 teaches the identifier is generated from a closed system postage meter);

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the reference to specify the identifier is generated from a closed system postage meter.

One of ordinary skill in the art would have been motivated to modify the reference in order to specify the equipments of the invention.

As per claim 3, Ferrier does not teach wherein the identifier is generated from an open system postage meter; see column 2, line 28-33 discloses that "digital token" is identifier;

Cordery teaches the identifier is generated from an open system postage meter (see column 1, line 41-64; see column 2, line 28-33 discloses that "digital token" is identifier; see column 2, line 48-58 teaches identifier are utilized by both open and closed system postage meter; see column 2, line 8-27 teaches the identifier is generated from an open system postage meter);

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the reference to specify the identifier is generated from an open system postage meter.

One of ordinary skill in the art would have been motivated to modify the reference in order to specify the equipments of the invention.

Claim 13 is rejected for the same reasoning as claim 2.

Claim 14 is rejected for the same reasoning as claim 3.

Claim 24 is rejected for the same reasoning as claim 2.

Claim 25 is rejected for the same reasoning as claim 3.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hao Fu whose telephone number is (571) 270-3441.

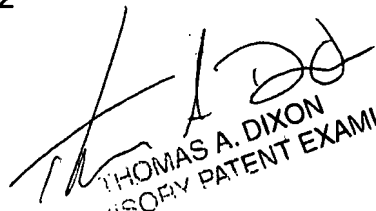
The examiner can normally be reached on Mon-Fri/Mon-Thurs 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dixon can be reached on (571) 272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hao Fu
Examiner
Art Unit 4172

Oct-07


THOMAS A. DIXON
SUPERVISORY PATENT EXAMINER